

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JUAN BALDERAS,	§	
<i>Petitioner,</i>	§	
	§	
v.	§	
	§	CIV. NO. 4:20-cv-04262
BOBBY LUMPKIN, Director,	§	(Death Penalty Case)
Texas Department of Criminal	§	
Justice, Correctional Institutions	§	
Division,	§	
<i>Respondent.</i>	§	

**RESPONDENT'S UNOPPOSED MOTION
TO SUBSTITUTE COUNSEL**

This is a federal habeas case. Petitioner Juan Balderas is a Texas state inmate under a sentence of death. Respondent Director Bobby Lumpkin is Mr. Balderas's custodian. This case has been reassigned to the undersigned assistant attorney general who will now be representing the Director in this proceeding. Thus, the Director moves to permit Tomee Heining to withdraw as counsel of record for the Director and substitute the undersigned in her place. This substitution request is not designed or intended to harass Mr. Balderas or to delay this proceeding. Any future documents should be sent to the same address (if physically delivered) or to the undersigned's email address (if electronic).

CONCLUSION

The Director respectfully requests that the Court allow Tomee Heining to withdraw as counsel and substitute the undersigned as counsel of record for the Director.

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

JOSH RENO
Deputy Attorney General
For Criminal Justice

EDWARD L. MARSHALL
Chief, Criminal Appeals Division

s/ Ali M. Nasser
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Counsel for Respondent

CERTIFICATE OF CONFERENCE

I certify that, on August 16, 2021, I conferred through electronic mail with Mr. Balderas's counsel, Ashley Carr, about this motion, and she stated that she was unopposed to it.

s/ Ali M. Nasser
ALI M. NASSER
Assistant Attorney General

CERTIFICATE OF SERVICE

I do hereby certify that on August 19, 2021, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Southern District of Texas, using the electronic case-filing system of the Court. The electronic case-filing system sent a "Notice of Electronic Filing" (NEF) to the following counsel of record, who consented in writing to accept the NEF as service of this document by electronic means:

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s/ Ali M. Nasser
ALI M. NASSER
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